

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Mark Fultz,)	
)	2:21-cv-0641-RMG
Plaintiff(s),)	
)	
-vs-)	
)	<u>ORDER OF DISMISSAL</u>
Atrium Finance II LP.)	
)	
Defendant(s).)	

The court having been advised by counsel for the parties that the above action has been settled,

IT IS ORDERED this action is hereby dismissed without prejudice. If settlement is not consummated within sixty (60) days, either party may petition the Court to reopen this action and restore it to the calendar. Fed. R. Civ. P. 60(b). In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the Court to enforce the settlement, and the Court specifically retains jurisdiction to enforce the settlement. *See Fairfax Countywide Citizens Ass’n v. Fairfax Cnty., Va.*, 571 F.2d 1299 (4th Cir. 1978). The dismissal hereunder shall be with prejudice if no action is taken under either alternative within (60) days from the filing date of this order.

IT IS FURTHER ORDERED that the Court will retain jurisdiction over all final settlement agreements.

AND IT IS SO ORDERED.

August 31, 2021
Charleston, South Carolina

s/ Richard M. Gergel
United States District Judge